

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

JAMES RICHARD JOHNSON,	:	
Plaintiff,	:	Case No. 3:15cv00321
vs.	:	District Judge Thomas M. Rose
		Magistrate Judge Sharon L. Ovington
JENNIFER NICOLE ROGERS, et al.,	:	
Defendants.	:	

ORDER

Plaintiff James Richard Johnson, a resident of Kettering, Ohio, brings this action *pro se* under 42 U.S.C. §1983, claiming that the named Defendants violated his constitutional rights. The Defendants, with one exception, are officials or employees of Butler County, Ohio. The sole exception is Defendant Jennifer Nicole Rogers, a resident of Cincinnati, Ohio. Not one Defendant has an address in a county within the Southern District of Ohio, Western Division at Dayton. *See* Fed. R. Civ. P. 82.1(b).

Rule 82.1(c) of the Civil Rules of the United States District Court for the Southern District of Ohio provides, “An action against a defendant or defendants resident in this district shall be filed at the location of court which embraces a county in which at least one defendant resides.” Rule 82.1(e) provides that in the event no defendant resides in this district, “an action shall be filed at the location of court embracing a county in which

a substantial part of the events or omissions giving rise to the claims occurred....”

Plaintiffs’ Complaint indicates that a substantial part the part of the events or omissions giving rise to Plaintiff’s claims occurred in Butler County, Ohio. The Western Division of this Court in Cincinnati serves the area that includes Butler County, and all the Defendant entities are in Butler County. The sole Defendant who is not in Butler County, Jennifer Nicole Rogers, resides in Cincinnati. For these reasons, a transfer of this case to the Western Division, Cincinnati, is warranted. *See* 28 U.S.C. §1406(a); *see also* S.D. Ohio Civ. Rule. 82.1(b), (c), (e).

IT IS THEREFORE ORDERED THAT:

The Clerk of Court is DIRECTED TO TRANSFER this case to the Southern District of Ohio, Western Division in Cincinnati for further proceedings.

September 28, 2015

s/Sharon L. Ovington
Sharon L. Ovington
Chief United States Magistrate Judge